

Order 96-3-4

**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

Served Mar. 4, 1996

Issued by the Department of Transportation
on the 4th day of March, 1996

**INTRA-ALASKA BUSH SERVICE
MAIL RATES INVESTIGATION**

**Docket 44445
OST-95-405**

ORDER ESTABLISHING FINAL BUSH SERVICE MAIL RATES

SUMMARY

By this order the Department is setting final intra-Alaska bush service mail rates for the period April 1, 1996, through March 31, 1997, or until further order of the Department, whichever occurs later.

BACKGROUND

By Order to Show Cause 96-2-2, served February 5, 1996, the Department proposed final intra-Alaska bush service mail rates to be effective from April 1, 1996, through March 31, 1997, or until further order of the Department, whichever occurred later. The proposed rates for the year ending March 31, 1997, were 13.58 percent higher than the rates effective for the prior rate period.

The United States Postal Service (USPS) filed a Notice of Objection to Order 96-2-2 on February 15, 1996. MarkAir Express filed a Notice of Objection to Order 96-2-2 on February 16, 1996, accompanied by a Motion for Leave to File one day late. We will grant the Motion.

Answers were due on February 26, 1996; however, none were filed.¹ Therefore, the Department makes final its tentative findings and conclusions specified in Order 96-2-2, and establishes the rates set forth in Appendix

¹ Section 302.5 of the Department's Regulations provides that any person may file a Notice of Objection within 10 days of the service date of a show-cause order setting provisional mail rates. That section also provides that those persons filing a Notice of Objection may file an Answer, with detailed support, 20 days after they file their Notice of Objection (ordering paragraph 2 of Order 96-2-2 shortened the answer period to 20 days after the service date of that order; thus, Answers were due on February 26, 1996). Frequently, as in this case, one or more of the parties filing a Notice of Objection do not follow up their Notice with an Answer.

A as the final rates for the period April 1, 1996, through March 31, 1997, or until further order of the Department, whichever occurs later.

ACCORDINGLY,

1. We make final the tentative findings and conclusions specified in Order 96-2-2;
2. The fair and reasonable final rates of compensation to be paid in their entirety by the Postmaster General pursuant to the provisions of 49 U.S.C. 41901 for the transportation of mail by aircraft having a payload of 7,500 pounds or less, the facilities used and useful therefor, and the services connected therewith, by each holder of a certificate authorizing the transportation of mail by aircraft within the State of Alaska for the period April 1, 1996, through March 31, 1997, or until further order of the Department, whichever occurs later, are those specified in the attached Appendix A;
3. We grant the Motion of MarkAir Express for Leave to File Late;
4. Because all interested persons have had an opportunity to comment on our Order to Show Cause (96-2-2), we shall not entertain petitions for reconsideration of this order, including any motions that may accompany such petition; and
5. We shall serve this order upon all parties on the Service List for this Docket.

By:

CHARLES A. HUNNICUTT
Assistant Secretary for Aviation
and International Affairs

(SEAL)